

REMARKS

This Application has been carefully reviewed in light of the Final Office Action mailed April 15, 2008. At the time of the Final Office Action, Claims 1-9 were pending in this Application. Claims 1-9 were rejected. Claims 1-5 and 8-9 have been amended. Claims 10 and 11 have been added. No new matter was introduced. Applicants respectfully request reconsideration and favorable action in this case.

Rejections under 35 U.S.C. §103

In order to establish a *prima facie* case of obviousness, the references cited by the Examiner must disclose all claimed limitations. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974). Even if each limitation is disclosed in a combination of references, however, a claim composed of several elements is not proved obvious merely by demonstrating that each of its elements was, independently, known in the prior art. *KSR Int'l. Co. v. Teleflex Inc.*, 127 S.Ct. 1727, 1741 (2007). Rather, the Examiner must identify an apparent reason to combine the known elements in the fashion claimed. *Id.* “Rejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness.” *Id.*, citing *In re Kahn*, 441 F.3d 977, 988 (Fed. Cir. 2006). Finally, the reason must be free of the distortion caused by hindsight bias and may not rely on *ex post* reasoning. *KSR*, 127 S.Ct. at 1742. In addition, evidence that such a combination was uniquely challenging or difficult tends to show that a claim was not obvious. *Leapfrog Enterprises, Inc. v. Fisher-Price, Inc. and Mattel, Inc.*, 485 F.3d 1157, 1162 (Fed. Cir. 2007), citing *KSR*, 127 S.Ct. at 1741.

Claims 1-9 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Application Publication No. 2004/0068574 by Jose Costa Requena *et al* (“Requena”) in view of U.S. Patent Application Publication No. 2003/0065788 by Ari Salomaki (“Salomaki”). In light of the above claim amendments, Applicants respectfully traverse and submit the cited art combinations, even if proper, which Applicants do not concede, does not render the claimed embodiment of the invention obvious.

Requena fails to teach or suggest all the elements of pending Claims. For example, amended Claim 1 recites, in part:

receiving presence attributes from the Wireless Village standard;
recording via a mapping unit at least one text character string of the presence attributes to a note element in a presence information message from the IP Multimedia Subsystem standard; and
transmitting the presence information message to a presence server configured for forwarding the presence information message to additional network units. (Emphasis Added).

According to the Specification,

FIG. 2 shows how the attributes in line with the WV standard, which are represented in the form of text character strings, are recorded in note elements. In this exemplary embodiment, the name of the text character string is separated using a colon. The name of the attribute represents an opportunity for clear association. To be able to identify subattributes clearly as well, the main attribute is also separated from the subattribute using a dot ". ". This is necessary since, by way of example, the "language" attribute exists for a plurality of main attributes. Another option would be to define for each WV attribute a dedicated extension of the attribute for the IMS presence information. This would mean that the described presence data format CPIM-PIDF would need to be extended by its tupels. The identifying supplement could be specified within the mobile radio standardization committees (3GPP, OMA, etc.). (Paragraph [0016]; *see also* FIG. 2).

Requena fails to teach or suggest recording via a mapping unit at least one text character string of the presence attributes to a note element, as recited in Claim 1. A premise for the rejection is based on the table shown in page 15 in which the Examiner asserts "explicitly shows the attributes are stored in note elements." (Final Office Action, Page 6). Applicants disagrees. The table shows examples of mapping examples between a first protocol (SIP) and a wireless village (WV). (Page 15, second column). This table cannot be construed as recording a text character string of a presence attribute of from a Wireless Village to a note element in a presence information message, as recited in Claim 1. Applicants believe that *Requena* fails to provide any disclosure relating to a note element, let alone recording of any text characters of presence attributes to a note element.

Salomaki also fails to teach or suggest the elements of amended Claim 1 as recited above.

As another example, amended Claim 11 recites, in part:

a mapping unit comprising:

 a reception unit configured to receive at least one text character string in a presence attribute from the Wireless Village standard;

 a processing unit coupled to the reception unit and configured to record the text character string to a note element in a presence information message; and

 a transmission unit coupled to the reception unit and configured to forward the presence information message to a presence server.

None of *Requena* and *Salomaki*, alone or in combination, teach or suggest a processing unit configured to record the text character string to a note element in a presence information, for at least the reasons discussed above regarding amended Claim 1.

For at least the reasons discussed above, Applicants respectfully request reconsideration and allowance of amended independent Claim 1 and 11 and all claims that depend therefrom.

New Claims 10 and 11

The present paper adds Claims 10 and 11 as dependent claims of Independent Claim 10. Applicants submit that new Claims 10 and 11 are allowable at least because the claims depend from amended independent Claim 9 shown above to be allowable. Accordingly, Applicants respectfully request full allowance of Claims 10 and 11.

Request for Continued Examination (RCE)

Applicants respectfully submit a Request for Continued Examination (RCE) Transmittal, along with a Petition for Extension of Time. The Commissioner is authorized to charge any fees required to Deposit Account 50-2148 in order to effectuate these filings.

CONCLUSION

Applicants have made an earnest effort to place this case in condition for allowance in light of the remarks set forth above. Applicants respectfully request reconsideration of the pending claims.

Applicants respectfully submit a Request for Continued Examination (RCE) Transmittal and authorize the Commissioner to charge \$810.00 to Deposit Account 50-2148 in order to effectuate this filing. Applicants enclose a Petition for Extension of Time for one month and authorize the Commissioner to charge the amount of \$120.00 to Deposit Account No. 50-2148 of Baker Botts L.L.P.

Applicants believe there are no other fees due at this time; however, the Commissioner is hereby authorized to charge any fees necessary or credit any overpayment to Deposit Account No. 50-2148 of Baker Botts L.L.P.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicants' attorney at 512.322.2545.

Respectfully submitted,
BAKER BOTT S L.L.P.
Attorney for Applicants



Andreas Grubert
Registration No. 59,143

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SEND CORRESPONDENCE TO:

BAKER BOTT S L.L.P.
CUSTOMER ACCOUNT NO. **31625**
512.322.2545
512.322.8383 (fax)